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Attorneys for Defendant
 LASERSCOPE

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

16 DAVANZIA, S.L., a Spanish corporation,

17 Plaintiff,

18 v.

19 LASERSCOPE, INC., a California
 20 corporation, and AMERICAN MEDICAL
 SYSTEMS, INC., a Minnesota corporation,

21 Defendants.

23 LASERSCOPE, INC., a California
 24 corporation, and AMERICAN MEDICAL
 SYSTEMS, INC., a Minnesota corporation,

25 Cross-Complainants,

26 v.

27 DAVANZIA, S.L., a Spanish corporation,

28 Cross-Defendant.

CASE NO. C 07-00247 JF

**STIPULATION AND [PROPOSED] ORDER
 FOR DISMISSAL WITH PREJUDICE OF
 ENTIRE ACTION PURSUANT TO FED. R.
 CIV. P. 41(a)(1)**

Judge: The Honorable Jeremy Fogel

1 The undersigned parties, through their respective counsel of record, HEREBY
2 STIPULATE as follows:

3 WHEREAS Plaintiff/Counterdefendant Davanzia, S.L. ("Davanzia"), on the one hand,
4 and Defendant/Counterclaimant Laserscope, Inc. ("Laserscope"), on the other hand (collectively,
5 the "Parties") entered into a written Settlement Agreement and Mutual Release ("Settlement
6 Agreement") with respect to this action;

7 WHEREAS, pursuant to the terms of the Settlement Agreement, Davanzia and
8 Laserscope agreed to dismiss their operative complaint and counterclaims, respectively, in this
9 action; and

10 WHEREAS, pursuant to the terms of the Settlement Agreement, the Parties have agreed
11 to bear their own attorneys' fees and costs in this action;

12 THEREFORE, pursuant to Federal Rule of Civil Procedure 41(a), the Parties hereby
13 stipulate, by and through counsel, to the dismissal with prejudice of the entirety of this action.

14 Each party shall bear its own costs and attorneys' fees.

15 IT IS SO STIPULATED.

16 Dated: July 9, 2008

DLA PIPER US LLP

17
18 By 

WILLIAM J. FRIMEL
Attorneys for Plaintiff
DAVANZIA, S.L.

19
20 Dated: July 9, 2008

PILLSBURY WINTHROP SHAW PITTMAN
LLP

21
22 By 

DIANNE L. SWEENEY
Attorneys for Defendant
LASERSCOPE

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1 The Parties having so stipulated and good cause appearing therefor,

2 **ORDER**

3 IT IS HEREBY ORDERED THAT this action is hereby dismissed with prejudice in its
4 entirety.

5 IT IS FURTHER ORDERED THAT this Court shall retain jurisdiction to enforce the
6 terms of the settlement pursuant to the Settlement Agreement, including but not limited to
7 jurisdiction over disputes arising out of the Settlement Agreement.

8 IT IS FURTHER ORDERED THAT the Parties shall bear their own respective attorneys'
9 fees and costs in this action.

10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11 DATED: July 11, 2008

12
13 
14 THE HONORABLE JEREMY FOGEL
United States District Court Judge